

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED 04
2005 OCT -5 AM 10:32

UNITED STATES OF AMERICA,
Plaintiff,

vs.

LARRY D. BOWMAN,
Defendant.

Criminal No. 03-20187-M
MOTION GRANTED

THOMAS H. GOLD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

JON PHIPPS McALLA
U.S. DISTRICT JUDGE

OCT. 10, 2005

DATE

MOTION TO WITHDRAW AS COUNSEL

Come now William D. Massey and Lorna S. McClusky, attorney of record for defendant Mr. Bowman, and respectfully moves this Court for permission to withdraw as counsel for Mr. Bowman. In support of this motion, counsel would state as follows:


1. Counsel was retained to represent Mr. Bowman for re-sentencing in this matter.
2. Counsel's contract with Mr. Bowman specifically states that the representation is limited to re-sentencing and does not include representation in an appeal.
3. Mr. Bowman has not met his obligation to counsel under the contract in regard to the re-sentencing. Mr. Bowman's failure to meet his obligations under the contract has created an actual conflict.
4. Mr. Bowman has stated that he wishes to appeal his re-sentencing. Mr. Bowman has not retained counsel for the appeal.
5. In the presence of the conflict, the proper remedy is withdrawal of counsel pursuant to Rule 8.
6. Counsel has provided a copy of this motion to Mr. Bowman.

WHEREFORE, counsel respectfully requests that her motion to withdraw be granted.

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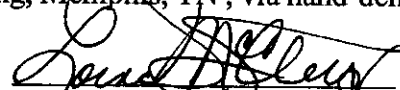
Respectfully submitted this 5th day of October, 2005.

THE LAW OFFICE OF
MASSEY MCCLUSKY
3074 East St.
Memphis, TN 38128
901-384-4004


By: Lorna S. McClusky, B.P.R. No. 16803

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing motion was delivered to Larry D. Bowman, CCA-Federal Pre-trial Detention, P.O. Box 509, Mason TN 38049, via U.S. mail, postage pre-paid, and Rae Oliver, AUSA, Suite 800, Federal Building, Memphis, TN, via hand-delivery this 5th day of October, 2005.


Lorna S. McClusky



Notice of Distribution

This notice confirms a copy of the document docketed as number 64 in case 2:03-CR-20187 was distributed by fax, mail, or direct printing on October 11, 2005 to the parties listed.

Lorna S. McClusky
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Honorable Jon McCalla
US DISTRICT COURT